

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

EDWARD F. GRODEN, as EXEC. DIRECTOR )  
of the NEW ENGLAND TEAMSTERS AND )  
TRUCKING INDUSTRY PENSION FUND )

Plaintiff, )

v. )

NORTH SHORE NEWS COMPANY, INC., )

Defendant. )

**Case No.: 21-10539 FDS**

**DECLARATION OF DAMAGES**

Edward F. Groden, under penalties of perjury, and based upon personal knowledge hereby declares as follows:

1. I am the Plaintiff in this action and I am employed as the Executive Director of the New England Teamsters and Trucking Industry Pension Fund (“the Pension Fund”).

2. Defendant North Shore News Company, Inc. (“North Shore News”), is a contributing employer to the Pension Fund pursuant to its Collective Bargaining Agreement (“CBA”) with Teamsters Local Union 42 and the Fund’s Agreement and Declaration of Trust (“Trust Agreement”).

3. North Shore News submitted remittance reports for the months of November 2020 through March 2021, but it did not pay the contributions which are now delinquent.

4. The Pension Fund seeks interest and liquidated damages on the delinquent contributions as well as attorneys’ fees and costs under Article V, Section 4 of the Trust Agreement (see Exhibit A), and 29 U.S.C. § 1132(g)(2).

5. Under 29 U.S.C. § 1132 (g)(2), and the Trust Agreement, North Shore News owes to the Pension Fund the following:

- a. Delinquent contributions in the amount of \$70,334.22 based on remittance reports submitted to the Pension Fund pursuant to the CBA, for the period of November 2020 to March 2021.
- b. Interest of \$2,058.35 accrued on the above sum of \$70,334.22. Interest was calculated at a rate of 5%; compounded monthly, pursuant to the Pension Fund's Trust Agreement. The interest rate is the rate published in § 6621 of the Internal Revenue Code.
- c. Liquidated damages in an amount equal to the greater of either the amount of interest (i.e., \$2,058.35) or twenty percent (20%) of the principal (\$14,066.84). Consequently, Plaintiff is entitled to \$14,066.84.
- d. Reasonable attorneys' fees and costs in the amount of \$5,448.48.

6. Based on the foregoing, North Shore News owes the Pension Fund a total of \$91,907.89.

7. Defendants are neither infants nor incompetent persons and are not engaged in the military service of the United States.

I declare under penalties of perjury that the foregoing is true and correct this 9<sup>th</sup> day of August, 2021.

/s/ Edward F. Groden  
Edward F. Groden, Executive Director